

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISORS HILDA L. SOLIS AND  
JANICE HAHN

June 9, 2020

**Supporting Worker Rights for Essential Garment Workers**

There are an estimated 45,000 garment workers in Los Angeles County who regularly work more than 12 hours per day, 60 to 70 hours per week, while being paid on average \$5.15 an hour – far below Los Angeles County’s current minimum wage of \$14.25 – without overtime pay. A report by the UCLA Labor Center documents that workers in 26 low-wage industries in Los Angeles lose \$26.2 million per week to wage theft violations, and the garment industry has the highest level of wage theft violations by industry.

In 1999, AB 633 (Steinberg) was enacted to prevent wage theft in the garment industry and create access to justice for garment workers. However, some retailers and manufacturers have spent the last 20 years circumventing AB 633 to avoid liability, resulting in tens of thousands of garment workers in Los Angeles County being unable to recover their stolen wages. Retailers have been able to avoid liability by creating layers of subcontracting, allowing them to avoid being classified as a “garment manufacturer,” as defined in AB 633, and therefore not be held liable for the wage violations. In fact, a

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2016 survey by the U.S. Department of Labor showed that 85% of 77 randomly-selected garment contractors in Southern California were in violation of prevailing wage and hour laws.

Today, in the midst of the COVID-19 pandemic, we rely more than ever on garment workers who have been called upon to make personal protective equipment (PPE), including face masks and medical gowns, as healthcare workers face PPE shortages and health orders require people to wear face masks when in public. Garment workers are essential workers who are unable to work from home and instead travel to garment factories – most of which continue to pay subminimum, by-the-piece wages and put in place only minimal measures to protect workers' health, despite the essential and important nature of their labor.

SB 1399, known as the Garment Worker Protection Act and authored by Senator Maria Elena Durazo, would eliminate piece rates in the garment industry in favor of an hourly wage. The bill would also expand liability for wage violations, create a rebuttable presumption as to the identities of the guarantors (or garment manufacturers) based on garment workers' testimony, and enhance enforcement of wage theft laws by authorizing the California Labor Commissioner to investigate and cite guarantors.

As we depend on garment workers to produce PPE in addition to the clothes we wear every day, we must ensure that their essential and important labor be adequately and justly compensated, and their worker rights protected.

**WE, THEREFORE, MOVE** that the Board of Supervisors direct Los Angeles County's legislative advocates in Sacramento to support SB 1399, which would eliminate

piece rates in the garment industry in favor of an hourly wage and protect garment workers' rights.

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